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Title:
Scientology

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HON. DON DUNSTAN, Q.C., M.P.

SCIENTOLOGY.

The Labor Government in South Australia made its opposition to and disapproval of Scientology quite clear. Under our Government, the Attorney-General refused to register further businesses or companies associated with Scientology. He refused to countenance the registration of a so-called Church of Scientology and it was made clear that no facilities would be given by a Labor Government for the spread of a cult which not only seemed patently absurd, but to people with any kind of mental instability to start with, could conceivably be potentially dangerous. Further than this, however, we were not prepared to go unless evidence was available that a considerable public mischief had occurred or was likely to occur so as to make it vital for the protection of the public that action should be taken which would in some way limit the civil liberties which normally every citizen should be able to expect to exercise. During the period of our Government's office there was no such evidence.

We have examined the file currently made available to us by the Chief Secretary and can find no further ^{substantial} evidence since we left office.

The dire results to the public forecast in a Victorian report some years ago are not in any way evident from complaints which have reached Government here. There is no evidence whatever of pressure in the nature of blackmail or indeed of any other activity that would contravene criminal law. It is with the background knowledge of these facts that I now turn to deal with the measure which has been introduced and explained by the Chief Secretary:-

In the "Definitions" section, Section 2, the definition of Scientological records reads as follows:-

"Scientological records" means any record, document or register or any gramophone record, wire, tape or other thing by which words or sounds which relate to the teaching, practice or application of scientology or any stage thereof by or in relation to any particular person are recorded and from which, directly or indirectly, such words or sounds are capable of being reproduced:"

This is drawn so widely that it includes any book containing any words setting out the teaching or commenting on the teaching practice or application of scientology by any particular person. In other words, anything written which relates to scientology is within the definition.

What follows in the Bill?

A person who has any such books, (and that could include a Library, a University Department, a person who had got together works concerning scientology because he was opposed to it) any such person must deliver the works up to the Attorney-General for destruction. It is an offence punishable by a fine of \$200 to possess any work, in effect any written work, relating to scientology. Moreover, if the Attorney-General has reasonable cause to believe there are any such works in any premises which have not been handed over, he may issue a warrant for the breaking and entering of the premises and the seizing of the books at any time of day or night.

By Section 3 of the Bill, no-one may directly or indirectly reward in relation to the practice, teaching or application of scientology or any aspect of it. Hence it would seem that if a university lecturer were to mention in the course of a university lecture something which related to scientology, he would commit an offence and no-one may either advertise or

hold himself out as being willing either to teach or to assist in the practice or application of any ~~any~~ aspect or phase of scientology. "Holding himself out" simply means telling somebody that he is willing, and this could be in response to an enquiry. The private practice, without any money being involved, of scientology, is therefore completely prohibited. The offence in either case is punishable with a fine of \$200 for a first offence, and for a subsequent offence \$500 or imprisonment for two years. This section is drawn so widely that it prevents people from doing in the privacy of their own homes things which involve nobody else, and prohibits in numbers of cases, the public discussion of scientology.

By Section 9 of the Bill, "the Governor may make such regulations as may be necessary or convenient for carrying into effect the objects of this Act including, but without limiting the generality of the foregoing, regulations defining, regulating or prohibiting any practice or teaching which in the opinion of the Governor is associated with, derived from or related or akin to scientology." This means that where in the opinion of the Government of the day, whether that opinion is reasonable or not, there is some teaching or practice which is akin to scientology, it may be completely proscribed and nobody may engage in it - on penalty of a fine of \$200 for a breach. Now, all this constitutes the grossest invasion of the normal private rights of citizens that I have ever seen in a measure, and affects the rights of many people who do not support scientology and could affect others concerning whose associations or practices similar complaints are made of invasion of family relationships, control of personal behaviour, overbearing personal pressure and the like, but which are not in fact directly derived from scientology at all.

The same sort of complaints as these which are made with regard to Scientology have been far more frequently made to Government concerning the Watchtower and Bible Society and the Exclusive Order of Plymouth Brethren. I do not say that there may not be evidence which would justify this extraordinarily drastic measure, but it has not been presented to the House by the Chief Secretary. I have not seen it. I do not know that it exists. I do not believe that the House should proceed with a measure so sweeping and so threatening to the ordinary private rights of citizens unless a grave public mischief justifying this departure from normal standards is established clearly upon credible evidence related to what happens here in South Australia.

I therefore will move that this Bill be withdrawn and that the matter of measures to protect the public from any harm which may be caused by the teaching or practice of scientology be referred to a Select Committee of the House. The Select Committee could sit and receive the evidence which the Government should produce to justify this measure before it is proceeded with.

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